RUT-registrations, visas, and work permits related to events in Denmark

1. Introduction

This memo is designed to assist companies from third countries outside the EU, EEA, and the Nordic countries that wish to provide services in Denmark and send employees for arrangements such as conferences, congresses, corporate events, fairs, and similar activities.

Please note: This memo is not exhaustive and cannot replace dialogue with authorities or relevant advisers. If in doubt, always contact the relevant authorities directly.

Copenhagen Convention Bureau, Bellagroup or Danish Chamber of Commerce cannot give detailed advice or guidance on specific cases, exemptions, individual business schemes or applications. Copenhagen Convention Bureau, Bellagroup or Danish Chamber of Commerce are not responsible for the outcome of applications based on the content of this memo.

This memo provides a brief overview of the following:

- Section 2: Visa rules
- Section 3: Requirements for registration of foreign companies in the Register of Foreign Service Providers (RUT)
- Section 4: Work permit requirements for event staff
- Section 5: Work permits for service providers.

2. Visa rules

Citizens from countries requiring a visa must obtain one to visit Denmark for up to 90 days within a 180-day period. **Please note:** A visa is not equivalent to a work permit (for information on work permits, see sections 4 and 5 below).

However, Denmark has agreements with several countries that exempt their citizens from requiring a visa (see the list below). British citizens are exempt from visa requirements, but they must still apply for a work permit if their activities in Denmark require one.

It is possible to obtain a visa as a private individual or tourist for business purposes or cultural visits, including participation in conferences.

It is crucial that you <u>do not</u> engage in work activities when entering Denmark on a visa, as a work permit must generally be obtained for such purposes. However, certain business-oriented activities are permitted on a visa, such as participating in meetings, negotiations, briefings, training sessions, or attending conferences as a regular participant.

When determining whether a work permit is required, the authorities assess whether your activities involve contributing to or altering a product or otherwise impacting the company's output.

If actual work is performed in Denmark, a work permit is typically required (see below). However, there are exceptions to this requirement under Danish immigration law.

The Danish Agency for International Recruitment and Integration (SIRI) and the Immigration Service can provide a more specific and individual assessment of whether the activities planned during a visa stay require a work and residence permit. If in doubt, always contact SIRI or the Immigration Service.

We strongly recommend seeking advice and making the assessment with the authorities as early as possible, as, in our experience, the process can take some time.

Please note: The case processing time is generally **one month** but can extend **up to three months** (service targets) if SIRI requires additional information. Therefore, it is crucial to apply well in advance.

Please note: Case processing times may vary depending on the Danish mission, Visa Application Centre (VFS), or the country representing Denmark where you submit your application.

We strongly recommend reading the information via the link below carefully before beginning the application process.

Selected case processing times

- China (Guangzhou): Up to 15 days
- India: Up to 15 days
- USA (VFS Global, New York): up to 45 days
- <u>UK: up to 45 days</u>¹.

Resources

- Contact the Danish Immigration Service
- Contact The Danish Agency for International Recruitment and Integration (SIRI)
- Countries with a visa requirement and visa-free countries
- How to apply for a visa (um.dk)
- Where to apply for a visa or residence permit (um.dk)
- It is mandatory for the visa application to have a Schengen-compliant Travel Medical Insurance, including COVID-19 coverage. If you're not covered, get it here: <u>Travel Insurance (vfsglobal.com)</u>.

3. Requirements for registration of foreign companies in the Register of Foreign Service Providers (RUT)

If your company will be performing work in Denmark on a temporary basis, you must notify the Register of Foreign Service Providers (RUT) about your company and services. This is also the case for your subcontractors/suppliers. RUT is the Danish government's official register to report a foreign service.

The notification to RUT must be submitted digitally (See the link to the user guide below). It is not possible to use a paper form. A digital ID or digital signature is not required for the notification process. The notification can be made in English, German, Polish or Danish.

Once you have submitted the notification to RUT, you will receive a receipt with a RUT number. You will need to state your RUT number when contacting the Danish authorities.

- Read more about RUT and register your company
- <u>User guide for registration in RUT</u>.

Please note: During the notification process, you must select a sector code that best describes the work performed by the company in Denmark (refer to section 3.2, page 10 in the User Guide for Registration in RUT). Depending on your tasks and work in Denmark, the sector code '82.30 — Organisation of conventions and trade shows' is often the most appropriate under the question, "What sectors are you working in?".

Please note: Under the section "Who is the Danish assignee for the work?", select "Danish company" if you are hired by a Danish contractor for the service. Otherwise, select "No Danish contractor for the service".

Please note: If you, as a service provider, perform work in connection with a congress, trade show, or a similar event, and there is no Danish contractor for the work, it is a good idea to provide a statement from the venue confirming that the work is being carried out on their premises. Attach the statement to your application og sent it to the Danish Business Authority at rut@erst.dk with a reference to your registration in RUT.

¹ As noted, British citizens are exempt from the requirement to apply for a visa, but it is still possible to apply for a visa in the UK if you are a citizen from a country with a visa requirement.

Call center service for foreign companies

The Danish authorities offer dedicated call center services for foreign companies, providing guidance on the requirements for notification to the Register of Foreign Service Providers (RUT).

- Please read the most frequently asked questions about RUT below before calling: <u>Guide Register of Foreign Service Providers (RUT) | Business in Denmark</u>
- Questions about the rules for notification? Please contact Arbejdstilsynet, The Danish Working Environment Authority (WEA).
 - o Phone hours: Monday Thursday: 8 15, Friday: 8 14
 - o +45 70 12 12 88. Press 9 for support in English.
- Practical questions about the notification? Please contact the RUT Support at the Danish Business Authority.
 - o Phone hours: Monday Thursday: 8.30-16, Friday: 9-15
 - o +45 72 20 00 36. Press 9 for support in English.

4. Work permit requirements for event staff

The starting point is that if a citizen from a third country outside the EU, EEA, and the Nordic countries is to work in Denmark, they must have a work permit. Therefore, it's important to first clarify:

- 1. Whether your employees need work permits, visas, or neither.
- 2. If they do need work permits, which scheme you must apply through to obtain them.

As a result of the implementation of Brexit on 31 January 2020, British citizens are subject to the rules for third country citizens.^[1]

It is always a specific and individual assessment from case-to-case whether activities are work and thereby require a work permit. When in doubt, we recommend that you contact SIRI.

Overview of job functions and required documents

Below you will find a quick overview of functions/roles/activities in the event industry and the documents that may be required. Most employees related to the event and working in connection with it must apply for a work permit.

The list is intended as an overall guideline, and it is not exhaustive. If in doubt, always contact SIRI.

Job titles / functions	Notes	Required documents
Event organisers (end client organisers)	A work permit is required for representatives and employees from the foreign company who are sent to Denmark to work on the conference in connection with planning, coordination, management, marketing, contact development, etc. Event organisers etc. may be exempt from the work permit requirement under the exemption rule for business travellers if they come to Denmark to enter into agreements or tenders, find locations or similar. Exemption from the requirement of a work permit	Danish work permit*
Professional Conference Organisers (PCO), Managers and other 3 rd party suppliers etc.	Includes PCO's, venue finders, housing block managers, AV, exhibition handling, content development etc. present in Denmark.	Danish work permit*

 $^{^{[1]}}$ As a result of transitional rules, certain UK nationals who have previously lived in the EU may have retained rights under EU rules.

	A work permit is required for organisers and managers during planning activities in Denmark and during the execution of an event in Denmark. PCOs and managers may be exempt from the work permit requirement when travelling to Denmark to enter into agreements or tenders etc. with suppliers and subcontractors. Read about the exemption rules	
Stand builders and technicians	Work permits are required for stand builders and technicians (AV equipment) who will be carrying out craft work in Denmark. Work permits are also required for specialised manual work and short-term work stays. In addition, a work permit is required when dismantling stands or equipment.	Danish work permit*
	In certain exceptional situations, exhibition stand builders and technicians may be covered by the 'fitter rule' exemption if they are working with high-tech products that require specially trained personnel to install. Read about the 'fitter rule'	
Exhibitors	It does not require a work permit to hold a business meeting solely for the purpose of entering into an agreement or signing a contract (B2B sales). For B2C exhibitors selling or providing goods or services	Danish visa **+***
	directly to customers/consumers, a Danish work permit is required.	
Guest speakers	Work permits are required for guest speakers during their speaking activities in Denmark. However, guest speakers may be covered by the exemption provisions for scientists and speakers for activities to which they are invited. Lecturers may be exempt from the work permit requirement if the topic is limited, and the lecturer is closely related to the topic and the presentation is limited in time and lasts a maximum of 1-2 days. Read about the exemption rule for business travellers under 'Exemption for a maximum of 90 days for special work assignments'	Danish visa ** or Danish work permit*
Attendees	As a general rule, no work permit is required for participants at conferences and events.	Danish visa **
Entertainment	Exempted where an entertainer is considered the main focal point of the event. Where entertainment is not the primary content of the event, a work permit is required.	Danish visa ** or Dansk work permit*
Journalists / press	According to established practice, journalists from foreign media outlets who stay in Denmark for up to 90 days as part of journalistic work for a media organization in their home country, such as reporting or similar activities, are not subject to the work permit requirement under the Aliens Act.	Danish visa ** or work permit*
	<u>But</u> publishing publications and broadcasting content targeted at the event and its participants in Denmark will require a work permit.	

^{*} As a rule, pre-contract site inspections, meetings, negotiations, briefings and participating in training do not require a work

permit.

** As stated in section 2, Denmark has entered into visa-free agreements with several countries. This includes the UK, and the US, EU, EEA and the Schengen Area. Please refer to the full list provided here: Countries with a visa requirement and visa-free countries

*** As a rule, non-Danish citizens are permitted to be present, exhibit, and engage in commercial B2B activities (such as sales meetings) at industry events without the requirement of specific work permits, provided they do not perform cash transactions.

5. Work permits for service providers

If you are travelling to Denmark to perform work on a conference, trade fair or event, you must generally apply for a work permit.

The Pay Limit Scheme

In most cases where citizens from outside the EU, EEA, and the Nordic countries require work permits for events, they must apply under the <u>Pay Limit Scheme</u> and as a <u>service provider</u>.

Please note: The Pay Limit Scheme is not specifically designed for employees performing work in connection with events or other short-term assignments. However, it is often the most suitable option for employees who are already employed by foreign companies and require a work permit.

If you are unsure which business scheme your employees should use to apply for work permits, please contact SIRI for guidance. Read more about the Pay Limit Scheme here:

- The Pay Limit Scheme: Need to know
- The telephone number for work permits concerning the Pay Limit Scheme is +45 72 14 20 01.

Pay limit threshold

Even though the employee must stay and work in Denmark for a shorter period, the salary must meet the pay limit under the Pay Limit Scheme. The salary must be at least **DKK 514,000 per year**, **DKK 42,833.34 per month**, or at least **DKK 9,884.92** for a **working week of 37 hours**. This corresponds to an **hourly wage** of at least **DKK 267.16**.

When assessing whether the salary meets, at least, the minimum amount, only the following salary components can be considered:

- Salary in the form of liquid assets, including fixed supplements which are, therefore, guaranteed salary
- Payments to labour market pension schemes, including the pension contributions paid by both the employer and the applicant.
- Paid holiday allowance.

Temporary salary increase and temporary supplementary contract

If the employee's salary does not meet the requirements of the Pay Limit Scheme, they must receive a temporary salary increase for the period during which they are working in Denmark. This must be documented in a temporary supplementary contract.

The contract **must** include the following information:

- Names of the companies involved in the "secondment"
- Job description
- Place of work (Denmark and specific venue)
- Salary in DKK
- Working hours
- Working period
- Terms regarding holiday (the holiday terms in the contract must refer to or be in accordance with the Danish Holiday Act in order to correspond to Danish standards.)
- Termination notices (the termination notices in your contract should follow the Salaried Employees Act).

The salary and terms of employment must correspond to Danish standards

In addition to the specific salary threshold required by the Pay Limit Scheme the salary must not be lower than the standard level within the professional field in which the employee will be working. Likewise, the terms of employment—such as holiday entitlements, notice periods, and similar conditions—must also meet or exceed the standard level within the same professional field.

Please read the relevant sections here: The Pay Limit Scheme: Need to know

DISCO Codes

SIRI assesses whether the salary corresponds to Danish standards using income statistics. To do this, SIRI needs information about the job title, job description, relevant work experience, and the **six-digit DISCO code** corresponding to the job function. DISCO-08 is the official Danish version of International Standard Classification of Occupations (ISCO-08).

- Read about DISCO and codes her: DISCO code
- Read about and find an occupation in ISCO-08 here: <u>International Standard Classification of Occupations (ISCO) ILOSTAT</u>

Make sure, the ISCO code corresponds with the Danish DISCO code.

Apply as a service provider

SIRI's website provides detailed, step-by-step guidance on how to apply for a work permit as a service provider. It is important that you have carefully read the conditions for being granted a residence permit before you begin step 1.

- Service providers: Need to know
- How to apply: Service providers.

Application process

Follow the guide carefully and fill out <u>all the required fields and forms</u> for each application/employee. The process consists of the following steps:

- 1. Create case order ID.
- 2. Pay the fee (use case order ID). Remember to save your receipt for payment and upload it together with your application.
- **3. Gather documentation:** Collect all required documentation. Download the AR9 form and use the checklists for both the <u>applicant</u> (p. 12) and <u>the employer</u> (p. 21). <u>Download AR9</u>
- 4. **Complete and submit the application form.** You can scan the application form and submit the application via SIRI's contact form, or you can submit the application to the nearest Danish representation abroad. Remember to attach or enclose the necessary documentation. You will find the list of required documents on the first page of the application form.
 - o Submit your application via SIRI's contact form
 - o Find the nearest Danish representation abroad

5. Schedule appointment for biometrics (see below).

When you apply for a work permit, you must have your biometric features recorded. This means that you must have a facial photo taken and your fingerprints recorded. You must have your biometric features recorded no later than 14 days after you submitted your application.

If you are unable to have your biometric features recorded within the time limit of 14 days, because you are unable to book an appointment at a Danish diplomatic mission, you can inform us of the appointed time you will have your biometrics recorded. This way you can avoid having your application rejected.

SIRI will not process your application until your biometric data has been recorded.

• Read more about biometrics here.

Biometrics recorded in Denmark

If you are exempted from the visa rules you can travel to Denmark and in advance book a time for a Biometric appointment.

• See SIRI's departments in Denmark where you can have your biometric features recorded.

Biometrics recorded abroad

You can have your biometric features recorded at a Danish diplomatic mission or an application centre in the country where you reside.

• See the Ministry of Foreign Affairs' list of diplomatic missions or application centres where you can have your biometric features recorded.

<u>Please note:</u> The case processing time is 1 month going up to 3 months if SIRI need further information. <u>Apply in good time!</u>